



IT IS ORDERED as set forth below:

Date: November 9, 2020

Sage M. Sigler
U.S. Bankruptcy Court Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	§	CHAPTER 7
	§	
AMERICAN UNDERWRITING	§	Case No. 18-58406-SMS
SERVICES, LLC,	§	
	§	
Debtor.	§	

**ORDER APPROVING MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT BETWEEN TRUSTEE AND GILLEN, WITHERS & LAKE, LLC**

This matter is before the Court on the *Motion For Approval of Compromise and Settlement Between Trustee and Gillen, Withers & Lake, LLC* (the “**Motion**”) (Docket 224) filed by S. Gregory Hays, Chapter 7 Trustee (the “**Trustee**”) for the bankruptcy estate (the “**Estate**”) of American Underwriting Services, LLC, Debtor (the “**Debtor**” or “**AUS**”) in the above captioned case (the “**Case**”). The Motion seeks entry of an order, pursuant to Section 105(a) of Title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “**Bankruptcy Code**”) and Rule 9019(a) of

the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), approving a Settlement¹ by and between the Trustee and Gillen, Withers & Lake, LLC (collectively, the "**Parties**").

Following notice to all creditors and parties in interest entitled to notice, no objection was filed in opposition to the Motion. The Court held a hearing on the Motion on October 21, 2020, at which no creditor or party in interest appeared to oppose the Motion. Upon the Court having reviewed and considered the Motion, the record in this Case, and the arguments at the hearing on the Motion, the Court determined that: 1) the relief requested in the Motion is in the best interests of the Debtor, the Estate, its creditors and other parties in interest; 2) the Court has jurisdiction over this proceeding; 3) this is a core proceeding; 4) notification of the relief granted by this Order is fair and reasonable; 5) due and proper notice of the Motion was given and such notice is good and sufficient under the particular circumstances; and 6) good and sufficient cause exist for the relief requested in the Motion, for the entry of this Order, and approval of the Settlement. Finding that no further notice or opportunity for hearing is required, for good cause shown, is it hereby ORDERED as follows:

1. The Motion is GRANTED as set forth herein.
2. Based upon the evidence presented to the Court, the record in this Case and the representations of counsel for the Parties, and the Court's analysis of the Settlement, the Court determines that, under the standards applicable within the Eleventh Circuit: (a) notice of the Motion and the hearing on the same was sufficient and proper under the circumstances and no other or further notice need be given; (b) parties in interest were given adequate opportunity to object; (c) the terms of the Settlement are fair and equitable; (d) the Parties have acted in good

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

faith; (e) it is in the best interest of the Debtor, the Estate, creditors and other parties in interest for the Trustee to enter into the Settlement; and (f) good cause exists for the entry of this Order approving the terms of the Settlement in its entirety.

3. The Settlement as set forth in the Motion and the Settlement Agreement attached to the Motion as **Exhibit A** is hereby approved, including, without limitation, all terms, provisions, rights and releases and any objection to the Trustee entering into the Settlement is hereby overruled.

4. The Trustee is authorized to enter the Settlement and to take any and all steps necessary, in the sole discretion of the Trustee, to consummate and perform under the terms of the Settlement.

5. This Court shall retain jurisdiction to resolve any and all disputes arising from this Order and the Settlement.

[END OF ORDER]

Prepared and Presented by:

LAW OFFICES OF HENRY F. SEWELL JR., LLC

/s/ Henry F. Sewell, Jr.

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Parties to be Served

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